

RCW 47.32.130**Dangerous objects and structures as nuisances -- Logs -- Abatement -- Removal.**

(1) Whenever there exists upon the right of way of any state highway or off the right of way thereof in sufficiently close proximity thereto, any structure, device, or natural or artificial thing that threatens or endangers the state highway or portion thereof, or that tends to endanger persons traveling thereon, or obstructs or tends to obstruct or constitutes a hazard to vehicles or persons traveling thereon, the structure, device, or natural or artificial thing is declared to be a public nuisance, and the department is empowered to take such action as may be necessary to effect its abatement. Any such structure, device, or natural or artificial thing considered by the department to be immediately or eminently dangerous to travel upon a state highway may be forthwith removed, and the removal in no event constitutes a breach of the peace or trespass.

(2) Logs dumped on any state highway roadway or in any state highway drainage ditch due to equipment failure or for any other reason shall be removed immediately. Logs remaining within the state highway right of way for a period of thirty days shall be confiscated and removed or disposed of as directed by the department.

[1984 c 7 § 184; 1961 c 13 § 47.32.130. Prior: 1947 c 206 § 3; 1937 c 53 § 80; Rem. Supp. 1947 § 6400-80.]

NOTES:

Severability -- 1984 c 7: See note following RCW 47.01.141.

Obstructing highway, public nuisance: RCW 9.66.010.

Placing dangerous substances or devices on highway: RCW 9.66.050, 46.61.645, 70.93.060.

RCW 9.66.050**Deposit of unwholesome substance.**

Every person who shall deposit, leave or keep, on or near a highway or route of public travel, on land or water, any unwholesome substance; or who shall establish, maintain or carry on, upon or near a highway or route of public travel, on land or water, any business, trade or manufacture which is noisome or detrimental to the public health; or who shall deposit or cast into any lake, creek or river, wholly or partly in this state, the offal from or the dead body of any animal, shall be guilty of a gross misdemeanor.

[1909 c 249 § 285; RRS § 2537.]

NOTES:

Discharging ballast: RCW 88.28.060.

Disposal of dead animals: Chapter 16.68 RCW.

Water pollution: Chapter 35.88 RCW, RCW 70.54.010 through 70.54.030, chapter 90.48 RCW.

RCW 9.66.010
Public nuisance.

A public nuisance is a crime against the order and economy of the state. Every place

- (1) Wherein any fighting between people or animals or birds shall be conducted; or,
- (2) Wherein any intoxicating liquors are kept for unlawful use, sale or distribution; or,
- (3) Where vagrants resort; and

Every act unlawfully done and every omission to perform a duty, which act or omission

- (1) Shall annoy, injure or endanger the safety, health, comfort, or repose of any considerable number of persons; or,
- (2) Shall offend public decency; or,
- (3) Shall unlawfully interfere with, befoul, obstruct, or tend to obstruct, or render dangerous for passage, a lake, navigable river, bay, stream, canal or basin, or a public park, square, street, alley, highway, or municipal transit vehicle or station; or,
- (4) Shall in any way render a considerable number of persons insecure in life or the use of property;

Shall be a public nuisance.

[1994 c 45 § 3; 1971 ex.s. c 280 § 22; 1909 c 249 § 248; 1895 c 14 § 1; Code 1881 § 1246; RRS § 2500.]

NOTES:

Findings -- Declaration -- Severability -- 1994 c 45: See notes following RCW 7.48.140.

Severability -- Construction -- 1971 ex.s. c 280: "If any provision of this 1971 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected: PROVIDED, That should provisions of this 1971 amendatory act pertaining to the playing of bingo, or holding raffles, permitting the operation of amusement games be held invalid or unconstitutional by the supreme court of the state of

Washington as being violative of Article II, section 24, of the Constitution of the state of Washington, then the provisions hereof relating to each such item as aforesaid specifically declared invalid or unconstitutional by such court shall remain inoperative unless and until the qualified electors of this state shall approve an amendment to Article II, section 24, of the Constitution which may remove any constitutional restrictions against the legislature enacting such laws." [1971 ex.s. c 280 § 21.]

Boxing and wrestling regulated: Chapter 67.08 RCW.

Devices simulating traffic control signs declared public nuisance: RCW 47.36.180.

Highway obstructions: Chapter 47.32 RCW.

Navigation, obstructing: Chapter 88.28 RCW.

Parimutuel betting on horse races permitted: RCW 67.16.060.

RCW 46.61.645

Throwing materials on highway prohibited -- Removal.

(1) Any person who drops, or permits to be dropped or thrown, upon any highway any material shall immediately remove the same or cause it to be removed.

(2) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

[2003 c 337 § 5; 1965 ex.s. c 155 § 77.]

NOTES:

Rules of court: Monetary penalty schedule -- IRLJ 6.2.

Findings -- 2003 c 337: See note following RCW 70.93.060.

Lighted material, disposal of: RCW 76.04.455.

Littering: Chapter 70.93 RCW.